



ERIC R. SABREE
Wayne County Treasurer

12/2/2019

MuckRock News
Sarah Alvarez
411A Highland Ave/MR79655
Somerville, MA 02144

Re: Freedom of Information Act Request of November 27, 2019 for a list of all properties sold in the 2019 tax auction along with the amount of the winning bid for each property, the successful bidder for each successfully auctioned property, the address from which each successful bidder bid, and the name on the deed for each successfully auctioned property.¹

Dear Ms. Alvarez:

Wayne County Treasurer's FOIA Division received the following Request on November 27, 2019 by mail:

1. A list of all properties sold in the 2019 tax auction containing
 - (A) the amount of the winning bid for each property
 - (B) the successful bidder for each successfully auctioned property
 - (C) the address from which each successful bidder bid
 - (D) the name on the deed for each successfully auctioned property

Your Request is granted at no charge. This list is located on the Wayne County Treasurer's website: <https://www.waynecounty.com/elected/treasurer/auction.aspx>. If you choose for us to provide these records there will be an additional charge of \$11.84.

You have the right to do either of the following with regard to the denial of your Request:

(1) Submit a written appeal to the County Executive, which specifically states the word "appeal" and states the reason or reasons the denial should be reversed.

OR

(2) Commence an action in the circuit court to compel disclosure. Should you prevail, you will be entitled to have reasonable attorneys' fees, costs and disbursements assessed against the County by the court. If you or the County prevails in part, the court may, in its discretion, award you all or an appropriate portion of reasonable attorneys' fees, costs, and disbursements. If the court determines that the County has been arbitrary and capricious in its denial, you will also be entitled to punitive damages in the amount of \$1,000.00.

Sincerely,

Roy Freij
Deputy Treasurer Forfeitures/Foreclosures

cc: FOIA Coordinator

Denial approved:

Office of Corporation Counsel

Date: 12/3/19

¹ The legally required posting of the "Wayne County Freedom of Information Act Procedures & Guidelines," as well as the "Wayne County Summary of FOIA Procedures & Guidelines," are available for viewing under the "Public Records" section of the County's website at the following web address: <http://waynecounty.com/county/foia.htm>

Wayne County
Detailed Cost Itemization for FOIA Request

This is a(n): Estimate of costs Bill showing amount due
Date: 12/03/2019 Date Request Received: 11/27/2019
Requester Name/Request No.: Sarah Alvarez/2019-3748

1. IF ALL OR A PORTION OF THE REQUESTED INFORMATION IS AVAILABLE ON THE COUNTY'S WEBSITE, the County is required to tell you it is available on the website and, where practicable, include a specific webpage address where the information is available. In this case,

None
 Some
 All

of the requested material can be found at the following webpage(s):
<https://www.waynecounty.com/elected/treasurer/auction.aspx>

Information on the County website is available to you at no charge. If you would prefer to pay the County to retrieve these materials for you, we will charge the hourly rate provided in Item #2 below and will add a 100% fringe benefit rate to the hourly rate.

(FOIA Officer – if item #1 applies, please go on and complete item #2 as well)

1. No charge

2. LABOR COST FOR COPYING OR DUPLICATING RECORDS THAT ARE AVAILABLE TO YOU AT NO CHARGE ON THE COUNTY'S WEBSITE. This is the cost of labor directly associated with duplication of material located on the County's public web site. This rate is to be charged for the cost of making paper copies, digital copies, transferring materials onto non-paper physical media, or transferring materials through the Internet or other electronic means as you request, provided the County has the capability to do so. This rate shall not be more than the hourly wage of the County's lowest-paid employee capable of necessary retrieval and duplication in this particular instance, whether or not that person is available or who actually performs the labor. A full (100%) fringe benefit rate will be applied to the hourly rate. These costs will be estimated and/or charged in one minute time increments, and all partial time increments will be rounded down. If the task takes less than one minute to perform, there will be no charge.

Base Hourly Wage Charged: \$ 11.47

Charge per minute: \$ 0.29

(Hourly wage with full fringe benefit cost divided by 60)

Hourly Wage with Full Fringe Benefit Cost: \$ 17.20 Number of whole minutes = 16
(FOIA Officer – please contact Payroll for this rate)

2. Total labor cost if the County retrieves materials for you that you could obtain at no charge from the County's website

\$ 4.64

(Charge per minute X number of whole minutes)

Overtime rate charged if authorized by you (overtime is not used to calculate the fringe benefit cost)

Wayne County
Detailed Cost Itemization for FOIA Request

3. LABOR COST TO LOCATE RECORDS THAT ARE NOT AVAILABLE ON THE COUNTY'S WEBSITE. This is the cost of labor directly associated with the necessary searching for, locating, and examining public records in connection with receiving and fulfilling a granted written request. This fee is being charged because failure to do so will result in unreasonably high costs to the County due to the nature of the request in this particular instance, specifically:

(check all that apply):

- The request does not seek an easily identifiable document consisting of a few standard size pages with minimal redactions
- The request will require more than 15 minutes of labor to search for, locate, and examine the records
- The request seeks "any and all" documents on a particular subject
- The request requires that many boxes of documents be searched
- The request requires numerous hours of examination
- The request seeks a large volume of records
- The request seeks records from more than one County department
- The request incurs costs greater than incurred from the typical or usual FOIA request received by Wayne County for searching, locating, and examining public records
- Other reason: _____

The County will not charge more than the hourly wage of its lowest-paid employee capable of searching for, locating, and examining the public records in this particular instance, whether or not that person is available or actually performs the work. These costs will be estimated and charged in 15 minute time increments with all partial time increments rounded down. If the total number of minutes is less than 15, there will be no charge for searching for, locating, and examining the requested records.

Base Hourly Wage Charged: \$ _____

Charge per $\frac{1}{4}$ hour: \$ _____

(Hourly wage with fringe benefit costs divided by 4)

Hourly Wage with Fringe Benefit Cost: \$ _____

Number of increments = _____

Multiply the hourly wage by 1.5 (50% fringe rate) for the total hourly rate

(Divide the number of minutes by 15 and round down)

- Overtime rate charged if authorized by you (overtime is not used to calculate the fringe benefit cost)

3. Total labor cost for locating records

\$ 0
(Charge per $\frac{1}{4}$ hour X number of increments)

Wayne County
Detailed Cost Itemization for FOIA Request

4. LABOR COST TO SEPARATE (REDACT) EXEMPT FROM NONEXEMPT MATERIAL THAT IS NOT LOCATED ON THE COUNTY'S WEBSITE. The County will not charge you to redact information if we know or have reason to know that the materials have already been redacted and the redacted version is still in the County's possession. This fee is being charged because failure to do so will result in unreasonably high costs to the County due to the nature of the request in this particular instance, specifically:

(check all that apply):

- The request does not seek an easily identifiable document consisting of a few standard size pages with minimal redactions
- The request will require more than 15 minutes of labor to separate exempt from nonexempt material
- The request requires that many boxes of documents be reviewed to separate exempt from nonexempt material
- The request requires numerous hours to separate exempt from nonexempt material
- The request incurs costs greater than incurred from the typical or usual FOIA request received by Wayne County for separating exempt from nonexempt material
- Other reason: _____

The County will not charge more than the hourly wage of its lowest-paid employee capable of separating the exempt from the non-exempt material contained with the public records in this particular instance, whether or not that person is available or actually performs the work, unless the County does not employ a person capable of separating and deleting the exempt from non-exempt information in which case a contractor may be used. These costs will be estimated and charged in 15 minute time increments with all partial time increments rounded down. If the total number of minutes is less than 15, there is no charge for searching for, locating, and examining the requested records.

Charges for County employee labor to separate exempt from non-exempt materials:

Base Hourly Wage Charged: \$ _____ Charge per $\frac{1}{4}$ hour: \$ _____

(Hourly wage with fringe benefit costs divided by 4)

Hourly Wage with Fringe Benefit Cost: \$ _____ Number of increments = _____
Multiply the hourly wage by 1.5 (50% fringe rate) for
the total hourly rate
(Divide the number of minutes by 15 and round down)

- Overtime rate charged if authorized by you (overtime is not used to calculate the fringe benefit cost)

Charges for contract (non-County) labor to separate exempt from non-exempt materials:

Base Hourly Wage Charged: \$ _____ Charge per $\frac{1}{4}$ hour: \$ _____

(Hourly wage divided by 4)

Name of contracted individual or firm:

Number of increments = _____
(Divide the number of minutes by 15 and round down)

The County will not use contract labor to separate exempt from non-exempt materials unless there is no County employee capable of performing the work; the use of contract labor is approved by the FOIA Coordinator on a case-by-case basis; and the labor costs do not exceed six times the state minimum hourly wage (MCL 408.411 et seq.)

4. Total labor cost for separating exempt from non-exempt material

\$ 0
(Charge per $\frac{1}{4}$ hour X number of increments)

Wayne County
Detailed Cost Itemization for FOIA Request

5. LABOR COST TO COPY OR DUPLICATE RECORDS THAT ARE NOT LOCATED ON THE COUNTY'S WEBSITE.

This is the cost of labor directly associated with duplication of publications, including making paper copies, making digital copies, or transferring digital public records to be given to you on non-paper physical media or through the Internet or other electronic means as you request, provided the County has the capability to do so. This rate shall not be more than the hourly wage of the County's lowest-paid employee capable of necessary retrieval and duplication in this particular instance, whether or not that person is available or actually performs the work. These costs will be estimated and/or charged in one minute time increments, and all partial time increments will be rounded down. If the task takes less than one minute to perform, there will be no charge.

Base Hourly Wage Charged: \$

Charge per minute: \$

(Hourly wage with fringe benefit costs divided by 60)

Hourly Wage with Fringe Benefit Cost: \$

Number of whole minutes =

Multiply the hourly wage by 1.5 (50% fringe rate) for the total hourly rate

Overtime rate charged if authorized by you (overtime is not used to calculate the fringe benefit cost)

5. Total labor cost copy or duplicate records that are not located on the County's website

\$ 0

(Charge per minute X number of whole minutes)

6. COST OF COPIES (EXCLUDING LABOR). Copying costs may be charged if a copy of a public record is requested, or for the necessary copying of a record for inspection (for example, to allow for blacking out exempt information, to protect old or delicate original records, or because the original record is a digital file or database not available for public inspection).

Paper cost:

- Letter (8 1/2 x 11-inch/14-inch, single or double-sided): \$0.10 per sheet of paper

Total number of pages (8 1/2 x 11 or 8 1/2 x 14 paper): 72

No more than the actual cost of a sheet of paper for other paper sizes:

- Total number of other paper sizes (size): (actual cost each \$)
- Total number of other paper sizes (size): (actual cost each \$)

THE COUNTY WILL PROVIDE TWO-SIDED COPIES TO YOU WHEN PROVIDING HARD COPIES IF IT'S POSSIBLE TO DO SO. IF YOU PREFER SINGLE-SIDED COPIES, YOU MUST TELL US IN WRITING AND WE WILL CHARGE YOU \$.10 PER PAGE.

Requester has authorized the County to provide single-sided copies at \$.10 per sheet

LEAVE THIS BLANK IF THIS RESPONSE IS AN ESTIMATE OF COSTS

6. Cost for copies

Paper cost: \$ 7.20

(Number of pages X cost per page)

Actual and most reasonably economical cost of non-paper physical digital media:

- Circle applicable: CD-Rom* / Tape / Drive / Other Digital Medium ()

Total number of CD-Rom* discs: X cost* (actual cost of CD's \$)

Total number of tapes: (actual cost of tapes \$)

Total number of drives: (actual cost of drives \$)

Total number of other digital media (name): (actual cost each \$)

Total number of other digital media (name): (actual cost each \$)

Other non-paper physical digital media cost: \$

(Number of CDs, tapes, drives, or other digital media X actual cost added together and totaled)

Total cost for copies:

\$ 7.20

*The actual cost for a CD-Rom with a protective case is \$.50. The actual cost for a CD-Rom without a protective case is \$.15. There is no charge if the County is capable of emailing the records and you have provided us with an email address.

Wayne County
Detailed Cost Itemization for FOIA Request

7. MAILING COSTS. The County will charge the actual cost of mailing, if any, for sending records in a reasonably economical and justifiable manner. The County may charge for the least expensive form of postal delivery confirmation, but the County may not charge more for expedited shipping or insurance unless you specifically request it.

Actual cost of postage: \$ per stamp

\$ per pound

\$ per package

Actual cost (least expensive) postal delivery confirmation: \$

* You have asked the County for expedited shipping
* Expedited shipping if requested: \$

** You have asked the County for insurance
** Insurance if requested: \$

**LEAVE THIS
BLANK IF THIS
RESPONSE IS AN
ESTIMATE OF
COSTS**

7. Total mailing cost
\$ 0
(total of all mailing charges)

8. SUBTOTAL OF FEES, BEFORE WAIVERS, DISCOUNTS, OR DEPOSITS ARE APPLIED:

Records on County Website (#1): No Charge

Labor to retrieve records from the County's website (#2): \$ 4.64

Labor costs to locate records not on the County's website (#3): \$ 0

Labor cost to separate exempt from non-exempt material (#4): \$ 0

Labor cost for copying (#5): \$ 0

Copy/duplication cost (#6): \$ 7.20

Mailing cost (#7): \$ 0

Estimated Time Frame to Provide Records:

 (date or number of days)

The time frame estimate is nonbinding upon the County, but the County is providing the estimate in good faith.

8. SUBTOTAL OF ALLOWABLE FEES:

(Total of items #2-#5 if this is an estimate of costs)

(Total of items #1-#7 if this is a final response)

\$ 11.84

Wayne County
Detailed Cost Itemization for FOIA Request

FEE DISCOUNTS (ONLY IF APPLICABLE)	
<p>9. Waiver of fees in the public interest (at the County's option) A search for a public record may be conducted or copies of public records may be furnished without charge or at a reduced charge if the County determines, upon request, that a waiver or reduction of the amount on line 8 above is in the public interest because searching for or furnishing copies of the public record can be considered as primarily benefiting the general public. There is no requirement that the County reduce fees on this basis.</p> <p><input type="checkbox"/> All fees are waived OR <input type="checkbox"/> All fees are reduced by: <u> %</u></p>	<p>Discount amount applied: \$ <u> </u></p> <p><input checked="" type="checkbox"/> No discount applied</p>
<p>10. Discount for indigence. A public record search must be made and a copy of a public record must be furnished without charge for the first \$20.00 of the fee for each request if you are entitled to information and also:</p> <p>1) if you submit an affidavit stating that you are indigent and receiving specific public assistance, or 2) if you are not receiving public assistance, you state facts showing inability to pay the cost because of indigence.</p> <p>You are ineligible for this fee reduction if either of the following apply:</p> <p><input type="checkbox"/> (i) You previously received discounted copies of public records from the County twice during this calendar year, or <input type="checkbox"/> (ii) You are requesting the information in conjunction with outside parties who are offering or providing payment or other remuneration to the individual to make the request. The County may require you to state in an affidavit that the request is not being made in conjunction with outside parties in exchange for payment or other remuneration. <input type="checkbox"/> You are eligible for an indigence discount</p>	<p>Discount amount applied: \$ <u> </u></p> <p><input checked="" type="checkbox"/> No discount applied</p>
<p>11. Discount for certain nonprofit organizations. A public record search must be made and a copy of a public record must be furnished without charge for the first \$20.00 of the fee for each request by a nonprofit organization formally designated by the state to carry out activities under subtitle C of the federal Developmental Disabilities Assistance and Bill of Rights Act of 2000 and the federal Protection and Advocacy for Individuals with Mental Illness Act, if the request meets all of the following requirements:</p> <p>(i) it is made directly on behalf of the organization or its clients; and, (ii) it is made for a reason wholly consistent with the mission and provisions of those laws under section 931 of the Michigan Mental Health Code, 1974 PA 258, MCL 330.1931. (iii) it is accompanied by documentation of its designation by the state, if requested by the County.</p> <p><input type="checkbox"/> You are eligible for nonprofit discount</p>	<p>Discount amount applied: \$ <u> </u></p> <p><input checked="" type="checkbox"/> No discount applied</p>
<p>12. SUBTOTAL OF DISCOUNTS (add lines 9, 10, and 11)</p>	<p>Subtotal of discounts: \$ <u>0</u></p>

Wayne County
Detailed Cost Itemization for FOIA Request

<p>13. REDUCTION IN LABOR COSTS FOR LATE RESPONSE. If the County does not respond to a written request in a timely manner as required under MCL 15.235(2), the County must reduce the charges for labor costs otherwise permitted by 5% for each day the County exceeds the time permitted for a response to the request, up to a maximum 50% reduction. Labor costs are those charges in Lines 2-5 only.</p>	<p>Reduction for late response, if any: \$ <u>0</u></p>
<p>14. SUBTOTAL OF FEES MINUS DISCOUNTS & REDUCTIONS (Line 8) – (Line 12) – (Line 13)</p>	<p>\$ <u>11.84</u></p>
<p>15. GOOD FAITH DEPOSITS, IF APPLICABLE (50% OR 100% of Line 14). If there is an amount on this line, noted in either 15a or in 15b, this is the good faith deposit that you must pay before the County will begin processing your request. 50% deposit: If the estimated cost of responding to this request exceeds \$50.00, the County may collect up to 50% of that estimate (i.e., 50% of the amount on line 14) before responding.</p>	
<p>100% deposit (due to previous FOIA fees not paid in full): If you have not paid the County in full for the total amount of fees and copies relating to a previously granted and fulfilled written request, the County may require you pay an increased deposit of up to 100% of the estimated fees before we begin a full public record search for any subsequent written request from you if all of the following apply:</p> <ul style="list-style-type: none"> (a) The final fee for the prior written request was not more than 105% of the estimated fee; (b) The public records made available contained the information being sought in the prior written request and are still in the County's possession; (c) The public records were made available to you, subject to payment, within the best effort estimated time frame given by the County for the previous request; (d) Ninety (90) days have passed since the County notified you in writing that the public records were available for pickup or mailing; (e) You are unable to show proof of prior payment to the County; and, (f) The County calculates a detailed itemization, as required under MCL 15.234, that is the basis for the increased estimated fee deposit relating to this request. 	
<p>The County can no longer require an increased estimated fee deposit of up to 100% if any of the following apply:</p> <ul style="list-style-type: none"> (a) You are able to show proof of prior payment in full to the County; (b) The County is subsequently paid in full for the applicable prior written request; or, (c) Three hundred sixty-five (365) days have passed since you made the written request for which full payment was not remitted to the County. <p>Even if the increased deposit requirements are not applicable, the County is still permitted to ask for up to a 50% deposit.</p> <p>(STOP HERE IF THIS IS AN ESTIMATE OF FEES AND A DEPOSIT IS REQUIRED)</p>	<p>15a. 50% good faith deposit required in the following amount: \$ <u>0</u></p> <p>15b. 100% good faith deposit required in the following amount: \$ <u>0</u></p>
<p>16. TOTAL AMOUNT DUE (LESS ANY DEPOSIT PAID) The total amount due must be paid before copies can be picked up, delivered, mailed, or emailed.</p>	<p>Total amount due: \$ <u>11.84</u></p>
<p>The County's procedures and guidelines, and the summary of the procedures and guidelines, are available at the following web address: http://www.waynecounty.com/transparency.htm. We will also provide copies of them free of charge on request.</p>	

MUCKROCK NEWS
DEPT MR 83504
411A HIGHLAND AVE
SOMERVILLE, MA 02144-2516

001196-T13 P1-001598
WAYNE COUNTY TREASURER
400 MONROE ST STE 130
DETROIT, MI 48226-2964



RECEIVED
WAYNE COUNTY TREASURER

2019 NOV 27 PM 3:19

November 20, 2019

To Whom It May Concern:

Pursuant to the Michigan Freedom of Information Act, I hereby request the following records:

A list of all properties sold in the 2019 tax auction along with the amount of the winning bid for each property, the successful bidder for each successfully auctioned property, the address from which each successful bidder bid, and the name on the deed for each successfully auctioned property.

The requested documents will be made available to the general public, and this request is not being made for commercial purposes.

In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 5 business days, as the statute requires.

Sincerely,

Sarah Alvarez

Filed via MuckRock.com
E-mail (Preferred): 83504-77334337@requests.muckrock.com

For mailed responses, please address (see note):

MuckRock News
DEPT MR 83504
411A Highland Ave
Somerville, MA 02144-2516

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly

001196-T13



MuckRock News
DEPT MR 83504
411A Highland Ave
Somerville, MA 02144-2516
83504-77334337@requests.muckrock.com

addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.

RECEIVED
WAYNE COUNTY TREASURER
2019 NOV 27 PM 3:10

PRESORTED
FIRST-CLASS
POSTAGE PAID
60499-9998
PERMIT NO. 94

RECEIVED
WAYNE COUNTY TREASURER

2018 NOV 26 A 12:40